

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1-9 are pending in this application. Withdrawn claims 10-12 are herein canceled without prejudice.

Claims 1-9 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. patent application publication 2002/0164152 to Kato et al. (herein “Kato”) in view of U.S. patent 6,088,507 to Yamauchi et al. (herein “Yamauchi”). That rejection is traversed as now discussed.

Initially, applicants note each of independent claims 1, 8, and 9 is amended clarify features recited therein. Independent claim 1 now specifically recites:

selection means for selecting accompanying data to be played back ... which can be selected from streams or data files different from a main AV stream

The above-noted features are believed to be clearly supported by the original specification, see for example paragraph [0010]. Independent claims 8 and 9 are similarly amended.

The claimed invention overcomes drawbacks the inventors of the present invention recognized in background DVD video systems. Particularly, the applicants of the present invention recognized that in background DVD video systems a user cannot switch sound or subtitles to audio screens or subtitles in different streams from a main AV stream, and the present inventions can overcome such drawbacks by allowing such a selection by a user. As specifically discussed in the present specification at paragraphs [0008] to [0010],

[0008]

According to the DVD video, however, when the user switches sound or subtitles while playing back a video program stream, the user can select only from audio streams or sub-picture streams multiplexed into the program stream which is currently played back. That is, when playing back an MPEG2 program stream, such as that shown in Fig. 3, the user can

select only from audio 1 through audio 3 when switching sound.

[0009]

Accordingly, even if another stream having audio streams and subtitles different from a program stream which is currently played back is available, the user cannot switch sound or subtitles to the audio streams or subtitles in the different stream. Accordingly, the extensibility in selecting streams is low.

[0010]

The present invention has been made in view of the above background. An object of the present invention is to select sound and subtitles from streams or data files different from a main AV stream when the user switches sound or subtitles.

Applicants submit the above-noted features clarified in the claims of a user being able to select accompanying data from streams or data files different from a main AV stream are neither taught nor suggested by the applied art.

First, applicants note the basis for the outstanding rejection relies on Kato to disclose the claimed “selection means”, specifically citing Kato at paragraphs [0157], [0289]-[0293] and in Figure 39.¹

Applicants submit those noted disclosures in Kato are directed to a controller outputting a list of PlayList recorded on a recording medium 100 and reading out an AV stream necessary in reproducing the PlayList, and further directed to a SubPlayItem that can specify a clip referenced by a subpath in the PlayList.

Applicants submit such disclosures in Kato do not correspond to the features clarified in the claims as to the user being able to select accompanying data included in subfiles “from streams or data files ***different from a main AV stream***” (emphasis added).

¹ Office Action of August 26, 2010, page 3, first full paragraph.

Moreover, applicants submit no disclosures in Yamauchi cure the deficiencies in Kato. In that respect, applicants submit Yamauchi discloses a conventional DVD technology such as discussed for example in the present specification in paragraphs [0008] and [0009]. As noted in that portion of the specification, in such a system as in Yamauchi a user can select only from audio streams or sub-picture streams multiplexed into a program stream that is currently played back. Further, in such a device in Yamauchi, even if another stream having audio streams and subtitles different from a program stream which is currently played back is available, the user cannot switch sound or subtitles to the audio streams or subtitles in the different stream, and thereby the extensibility in selecting streams is low. The claimed invention overcomes such drawbacks in a system such as in Yamauchi as in the claimed invention accompanying data included in sub files can be selected by a user “from streams or data files different from a main AV stream”. Yamauchi also does not disclose or suggest such features, and thereby Yamauchi cannot cure the deficiencies in Kato with respect to such claimed features.

In view of the foregoing comments, applicants submit each of the claims as currently written positively recites features neither taught nor suggested by Kato in view of Yamauchi, and thus the amended claims are allowable over that applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Surinder Sachar
Registration No. 34,423

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/09)

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